



Proskauer Rose LLP Eleven Times Square New York, NY 10036-8299

Sydney L. Juliano  
Attorney at Law  
d +1.212.969.3142  
f 212.969.2900  
SJuliano@proskauer.com  
www.proskauer.com

May 12, 2023

**Via ECF**

Honorable Jennifer H. Rearden, U.S.D.J.  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: ***Trustees of the Local 854 Pension Fund et al. v. Kenneth Barrett et al.***  
**No. 1:23-cv-01160-JHR (S.D.N.Y.)**

Dear Judge Rearden:

We represent Plaintiffs, the Trustees of the Local 854 Pension Fund and the Local 854 Health & Welfare Benefits Fund, in the above-referenced matter. Pursuant to Your Honor's Individual Practice 2.E, we respectfully request a two-week extension of Plaintiffs' deadline to oppose Defendants' motion to dismiss (ECF No. 24) to June 5, 2023, as Plaintiffs' counsel, Neil Shah, had a death in his family this week.

At present, Plaintiffs' opposition is due on May 22, 2023 per Local Rule 6.1(b). This is Plaintiffs' first request for an extension of this deadline. There are no upcoming deadlines or court appearances pending resolution of Defendants' request for a stay of discovery (ECF No. 22). Accordingly, a brief extension of the deadline to June 5, 2023 would not affect any other dates in this action. Defendants' counsel has consented to this request.

We appreciate Your Honor's consideration of this request.

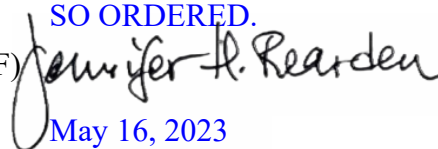
Respectfully submitted,

/s/ Sydney L. Juliano

Sydney L. Juliano

cc: All Counsel of Record (via ECF)

Plaintiffs' request on consent to extend the deadline to oppose Defendants' motion to dismiss (ECF No. 27) is GRANTED. By June 5, 2023, Plaintiffs shall file an opposition to the motion to dismiss. By June 12, 2023, Defendants shall file any reply.  
**SO ORDERED.**

  
May 16, 2023